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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DELMAR L. HARDY,

Defendant.

Case No. 3:16-CR-00006-MMD-VPC

STIPULATION TO EXTEND TIME TO FILE
RESPONSES AND REPLIES TO PRETRIAL
MOTIONS

(First Request)

IT IS HEREBY STIPULATED AND AGREED by and through DANIEL G. BOGDEN, United States Attorney for the District of Nevada, and JAMES E. KELLER, Assistant United States Attorney, counsel for the United States of America, and LEAH R. WIGREN, counsel for defendant Delmar L. Hardy, to extend the time in which the Government's Responses to the Pretrial Motions are due from November 25, 2016, to December 6, 2016, and to extend the time in which Defendant's Replies are due until December 16, 2016. This is the first request.

By way of background, the defendant nine pretrial motions [ECF Nos. 34 through 42] on November 14, 2016. The government had agreed to extend the due date of the motions from November 11, 2016, the date set forth in Complex Case Schedule, to November 14, 2016, given that November 11 is Veteran's Day. Currently, the government's responses are due on November 25, 2016, and the

defendant's replies are due December 2, 2016. This stipulation to extend the time for the government's responses for the Court's consideration is based upon: (1) the government's responses being due the day after the Thanksgiving holiday, when counsel for the government will be unavailable; (2) counsel for the defendant and for the government met on November 17 to discuss potential resolution of this case; and (3) counsel for the government will be traveling from November 30 through December 2, in Dallas on another criminal case for a prearranged meeting and in the Las Vegas office for another work matter.

With the Thanksgiving holiday approaching and counsel for the government's limited availability on November 30 through December 2, the parties stipulate that the government may have until December 6, 2016, to respond to the pending motions, and the defendant may have until December 16, 2016, to file any replies. The additional time for the filing of responses and replies is requested mindful of the exercise of due diligence, in the interests of justice, and not for any purpose of delay pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

DATED this 21st day of December, 2016.

DANIEL G. BOGDEN
United States Attorney

/s/ James E. Keller
JAMES E. KELLER
Assistant United States Attorney


/s/ Leah R. Wigren
LEAH R. WIGREN
Counsel for Defendant Delmar L. Hardy

ORDER

Based upon the foregoing Stipulation by the parties, and the reasons set forth therein,

IT IS SO ORDERED that the government's responses to the motions filed on November 14, 2016, are due December 6, 2016, and any replies to those motions are due on December 16, 2016.

DATED: November 21, 2016


HON. MIRANDA M. DU
UNITED STATES DISTRICT JUDGE